

RESOLUTION NO. _____, SERIES 2007

A RESOLUTION AUTHORIZING THE OFFICE OF THE JEFFERSON COUNTY ATTORNEY TO BRING A CONDEMNATION SUIT AGAINST THE OWNERS OF CERTAIN PROPERTY IN JEFFERSON COUNTY TO ELIMINATE BLIGHT.

SPONSORED BY: Councilwoman Julie Raque Adams, Dist. 18

WHEREAS, The Legislative Council of the Louisville/Jefferson County Metro Government (“Metro Council”) pursuant to Louisville Metro Code of Ordinances § 32.515 has recognized the need to address the issue of blighted or deteriorated property in Metro Government; and

WHEREAS, Louisville/Jefferson County Metro Government pursuant to KRS 99.715 may acquire by eminent domain any property determined to be blighted or deteriorated pursuant to KRS 99.705 to 99.730; and

WHEREAS, KRS 416.560(1) requires Metro Council to approve the exercise of the power of eminent domain prior to Metro’s instituting such proceedings; and

WHEREAS, Louisville/Jefferson County Metro Government, Vacant Property Review Commission pursuant to KRS 99.720 has determined that property located at 8203 Paddington Drive in the City of Hurstbourne (the “Property”) is blighted or deteriorated pursuant to KRS 99.705 to 99.730 (see Exhibit A attached hereto); and

WHEREAS, Louisville/Jefferson County Metro Government, Vacant Property Review Commission pursuant to KRS 99.720 has certified to the Metro Council that the Property is blighted or deteriorated pursuant to KRS 99.705 to 99.730 (see Exhibit B attached hereto); and

WHEREAS, The City of Hurstbourne Commission has determined that the Property is blighted, deteriorated, a public nuisance, unsafe and unsanitary and the Commission has asked

Metro for its assistance in eliminating the blight of the Property (see Exhibit C attached hereto); and

WHEREAS, The City of Hurstbourne Commission has agreed to bear the expense associated with an eminent domain action against the Property; and

WHEREAS, "Metro Council" pursuant to KRS 99.725 finds that:

- (1) The Property has deteriorated to such an extent as to constitute a serious and growing menace to the public health, safety and welfare; and
- (2) The Property is likely to continue to deteriorate unless corrected; and
- (3) The continued deterioration of the Property may contribute to the blighting and deterioration of the area immediately surrounding the Property; and
- (4) The owner of the Property has failed to correct the deterioration of the Property; and

WHEREAS, KRS 99.725 authorizes Metro to exercise its power of eminent domain against a property when Metro Council makes the four findings in the preceding paragraph.

BE IT RESOLVED BY THE METRO COUNCIL AS FOLLOWS:

Section 1: The Property was acquired by Sandra Kay Ross and Theodore A. Ross, Jr., by deed of record in Deed Book 4425, Page 578, in the Office of the County Clerk of Jefferson County, Kentucky. The owners have failed to eliminate the blight from the Property. It is in Metro's best interest to eliminate blight from the Property and stop blight from spreading to nearby properties.

Since the owners of the Property, have not eliminated the blight from the Property, then the Office of the Jefferson County Attorney is authorized to institute condemnation proceedings pursuant to KRS 416.560, *et seq.* against the owners of the Property.

Section 2: That the Council finds that the Condemned Property needs to be acquired to eliminate blight and deterioration in Metro.

Section 3: That this Resolution shall become effective upon its passage and approval.

Kathleen J. Herron
Metro Council Clerk

Rick Blackwell
President of the Council

Jerry E. Abramson
Mayor

Approved _____
Date

APPROVED AS TO FORM AND LEGALITY:
Irv Maze
Jefferson County Attorney

By: _____